

PATENT

A-70895/RBC/VEJ
Application No. 09/977,151



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian M. Adams

Application No. 09/977,151

Filed: **October 12, 2001**

For: **CLOSURE INCLUDING CAP
AND FITMENT HAVING
GRIPPING MEMBER**

Examiner: **To be assigned**

Art Unit: **3737**

Docket No.: **A-70895/RBC/VEJ**

CERTIFICATE OF MAIL (37 CFR 1.8(A))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on January 2, 2002.

Grace de Bos

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

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This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.

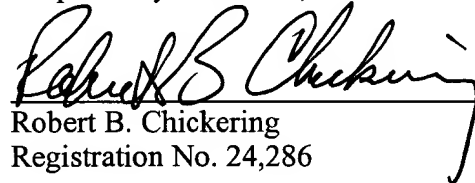
A concise explanation of the relevance of the non-English language document(s) appears as follows: French Patent No. 1,523,236 (dated 03/25/1968) discloses a closure having ring 8 attached to a membrane 6. *See Figs. 1-4.*

In accordance with M.P.E.P. §2001.06(b), the Examiner's attention is directed to co-pending U.S. Patent Application Nos. 09/844,139 (filed April 27, 2001) and 09/676,022 (filed September 29, 2001) which are directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 06-1300 (A-70895/RBC/VEJ).

Date: 1/2/02

Respectfully submitted,


Robert B. Chickering
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